

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
E911 Requirements for IP-Enabled Service Providers)	WC Docket No. 05-196
)	
)	
)	

Third Subscriber Notification and Acknowledgement and Compliance Report

Primus Telecommunications, Inc. ("Primus") hereby submits this Third Subscriber Notification and Acknowledgement and Compliance Report in accordance with the Further Guidance provided by Enforcement Bureau of the Federal Communications Commission ("Commission") on August 26, 2005.¹

I. INTRODUCTION.

As described in Primus's Subscriber Notification and Compliance Report filed on August 10, 2005 ("Initial Report") and Second Subscriber Notification and Compliance Report filed on September 1, 2005 ("Second Report") (collectively, the "Compliance Reports"), Primus provides a voice over internet protocol ("VoIP") solution that falls within the scope of Section 9(e) of the Commission's Rules in the above-referenced docket.² As described in the Compliance Reports, Primus has issued a 911 safety

¹ Public Notice, "Enforcement Bureau Provides Further Guidance to Interconnected Voice over Internet Protocol Service Providers Concerning Enforcement of Subscriber Acknowledgement Requirement," DA 05-2358 (rel. August 26, 2005).

² While this business VoIP product is part of Primus's product suite, it was not actively being marketed by the business units. In May/June 2005, Primus went through a reorganization and the new organization began a new marketing effort for this product in September, 2005.

advisory ("Advisory") and is taking steps to obtain acknowledgements regarding that Advisory. As of the date of this filing, Primus has not received acknowledgements from 100% of its customers, and is submitting this Third Subscriber Notification and Compliance Report so that the Commission will continue to refrain from taking any enforcement action against Primus as described in the Further Guidance.

II. PRIMUS'S UPDATES TO ITS INITIAL REPORT.

A. A detailed explanation regarding current compliance with the notice and warning sticker requirements if Primus did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline.

As described in the Compliance Reports, Primus sent 100% of its subscribers VoIP Advisories and 99% of its subscribers stickers (or other appropriate labels) as of August 10, 2005. Since that time, Primus confirmed in its Second Report that on August 11, 2005, it mailed stickers to the one new customer. Since September 1, 2005, Primus has actively marketed this VoIP product and has implemented procedures to obtain the Advisory acknowledgement and send the appropriate warning stickers as part of its sales process. VoIP customers will not be able to active their service without returning the Advisory acknowledgement and having been sent the stickers.

B. A quantification of how many of Primus's subscribers, on a percentage basis, have submitted an affirmative acknowledgement (as of September 1, 2005) and an estimation of the percentage of subscribers from which they do not expect to receive an acknowledgement by September 28, 2005.

As of 10 a.m. EST, September 22, 2005, Primus received affirmative acknowledgements from approximately eighty-four percent (84%) of its subscribers, which is an increase in the percentage of acknowledgements by three percentage points since August 30, 2005. Primus continues to estimate that it probably will not receive

acknowledgements from approximately ten percent (10%)³ of its subscriber base by September 28, 2005.

C. A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the Advisory.

Customers That Currently Have Not Acknowledged the Advisory. Primus described in its Compliance Reports that Primus conducted an outbound calling campaign and e-mail campaign to those subscribers that had not returned their Advisory acknowledgements, urging subscribers to return the acknowledgements as soon as possible. As of the date of this filing, Primus has continued to attempt to contact the unresponsive customers via telephone and/or e-mail. Primus intends to continue attempting to contact unresponsive customers by phone and/or e-mail at least once per week.

Customers That Have Not Acknowledged as of September 29, 2005. For customers that have not acknowledged the Advisory as of September 29, 2005, Primus intends to take all actions legally required, including potentially suspending service.

D. A detailed description of any and all plans to use a “soft” or “warm” disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005.

Primus’s VoIP service does not have a 911 feature, as it only provides long distance service, and local calls are provided to the subscriber by a POTS line attached to the same CPE. Therefore, Primus does not have the technology to support a “soft” or “warm” disconnect, and will not be using that solution as of September 28, 2005.

³ At this time, Primus anticipates that the 10% of customers that fail to respond will consist primarily of companies that never used this product.

Respectfully Submitted,

PRIMUS TELECOMMUNICATIONS, INC.



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